

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of PATRICIA A. O'NEAL and U.S. POSTAL SERVICE,
POST OFFICE, Little Rock, AR

*Docket No. 99-2261; Submitted on the Record;
Issued September 26, 2000*

DECISION and ORDER

Before MICHAEL E. GROOM, PRISCILLA ANNE SCHWAB,
VALERIE D. EVANS-HARRELL

The issue is whether appellant has established that she sustained cervical injury in the performance of duty, causally related to factors of her federal employment.¹

The Board has given careful consideration to the issue involved, the contentions of the parties on appeal and the entire case record. The Board finds that the June 22, 1998 decision of the Office of Workers' Compensation Programs hearing representative is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the hearing representative.

¹ Appellant later amended this date to July 8, 1996, the alleged date of her magnetic resonance imaging (MRI) scan which was reported as revealing a small central disc herniation at C5-6, and which contained the diagnosis of multilevel degenerative disc disease. The Board, however, notes that the MRI scan report was actually dated June 18, 1996. Appellant later testified at the hearing that she could not tell what the date of injury was because she had first claimed neck injury on August 15, 1985, and that she had been going back and forth to doctors since 1994 because her shoulder blades hurt. *See Anthony J. DeWilliams*, 48 ECAB 410 (1997).

Accordingly, the decision of the Office of Workers' Compensation Programs dated June 22, 1998 is hereby affirmed.

Dated, Washington, DC
September 26, 2000

Michael E. Groom
Alternate Member

Priscilla Anne Schwab
Alternate Member

Valerie D. Evans-Harrell
Alternate Member